

Official Proceedings

February 7, 2017
8:00 am

Chairman Elkin called the meeting of the Stark County Board of Commissioners to order. All members present.

Agenda

Chairman Elkin asked for any additions or deletions to the agenda. There were none.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Hoff

To approve the agenda as presented.

DISPOSITION: Motion carried

Minutes

The minutes of the January 3, 2017 Board of County Commissioners meeting were presented.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Franchuk

To approve the minutes of the January 3, 2017 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

In addition to the accounts payable and the supplement, 2 bills were presented for the Sheriff's department office remodel project. Mr. Remark advised that these items were part of the original approved budget. He also provided an overview of the project costs to date. In addition bills were discussed related to travel to Bismarck for the protest and the DCS imagination library.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Hoff

To approve the accounts payable with the supplement as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried

General: Payroll: \$316,552.33; Radisson Hotel: \$327.60; Thomson Reuters: \$562.34; Dakota Water Treatment: \$56.25; JobsHQ: \$435.54; SBM Inc: \$1,952.75; ND County Recorder: \$200.00; Service Printers: \$473.05; Xerox Corporation: \$943.04; Thos Y Pickett: \$21,750.00; MDU: \$3,857.09; Consolidated: \$683.63; Roughrider Electric: \$371.71; SW Water Authority: \$43.22; Braun Distributing: \$436.37; City of Dickinson: \$14,182.37; Clean Sweep Vacuum Center: \$222.43; Ferguson Enterprises: \$118.05; Menards: \$48.94; Nalco Company: \$99.70; Newby's Ace Hardware: \$44.67; Rudy's Lock & Key: \$23.00; Total Safety USA: \$189.87; T-Rex Conoco: \$24.42; Walmart: \$431.98; Seachange Printing: \$350.00; Village Family Services: \$2,850.00; ND Pers: \$89,832.20; Workforce Safety: \$500.00; Humana Insurance: \$17.00; Blue Cross Blue Shield: \$399.60; Discovery Benefits: \$82.50; Stark County Auditor (Federal Deposit): \$48,216.91; Job Service ND: \$4,700.62; NDACo: \$3,302.25; Mackoff Kellogg: \$1,800.00; Andrew S Marquart: \$341.04; Stutsman County Auditor: \$256.50; Wex Bank: \$5,792.90; Pamela Lynch: \$560.00; Quality Xterminators: \$60.00; Dickinson Press: \$715.23; Best Friends Mentoring: \$12,500.00; DCS Imagination: \$5,000.00; Domestic

Violence: \$64,250.00; Taylor Fire District: \$90,000.00; Presort Plus: \$6,852.59; Century Link: \$487.00; Verizon Wireless: \$2,161.83; Dacotah Paper Co: \$479.08; Kay Haag: \$16.50; Belfield Park District: \$1,800.00; Dickinson Tire: \$844.00; Ralph Weisenberger: \$54.00; T-Rex Conoco: \$24.95; ND State Radio Communications: \$1,500.00; All American Travel: \$3,943.20; Comfort Suites: \$1,678.50; Comfort Inn: \$81.90; Days Inn: \$2,381.40; Mainstay Suites: \$171.50; Terry Oestreich: \$4.50; Wingate by Wyndham: \$245.70; Visa: \$2,734.95; ND Highway Patrol: \$845.96; FBINAA: \$70.00; FOP Lodge: \$150.00; Mid-States Organized Crime: \$150.00; NDEMA: \$50.00; Electronic Communications: \$400.00; Quality Quick Print: \$269.00; Advanced Business Methods: \$424.15; Millie's Stitching: \$648.00; The Uniform Unit: \$319.99; Dakota Towing: \$50.00; Parkway Ford: \$40.98; Sax Motor Company: \$13,778.90; Phillip Worley: \$95.76; ND DOT: \$6.50; Balco Uniforms: \$541.40; Dickinson Area Ambulance: \$10,234.20; Jesse Hoff: \$87.31; Trey Weyer: \$179.99; Meggitt Training: \$261.37; LEC Maintenance: \$18,753.18; Stevenson Funeral Home: \$457.00; Bill Fahlsing: \$104.86; NDEMA: \$50.00; ND Atmospheric Resource Board: \$4,000.00; Richardton Fire Department: \$40,000.00; Belfield Ambulance: \$5,000.00; Richardton Ambulance: \$6,000.00; NDACo Resources: \$12,181.60; HP Inc: \$393.03; Information Technologies: \$2,692.02; Tyler Technologies: \$6,020.00; Stark County Historical Society: \$25,000.00; Dickinson Roughrider Commission: \$65,000.00; American Planning Association: \$419.00; NDPA: \$50.00;

County Road: Kadrmas, Lee & Jackson: \$22,506.20; Boltz Construction: \$7,804.50; American Bank Center: \$20,984.10; Quality XTerminators: \$60.00; Val's Sanitation: \$320.00; MDU: \$1,975.72; City of Belfield: \$29.85; City of Dickinson: \$103.80; Consolidated: \$53.09; MGM Rural Sanitation: \$210.00; Roughrider Electric: \$2,036.00; SW Water Authority: \$58.71; Century Link: \$56.36; City of Richardton: \$120.21; Verizon Wireless: \$105.84; Dickinson Supply: \$250.29; Matco Tools: \$8.25; Menards: \$419.62; Total Safety USA: \$839.54; Diamond Truck Equipment: \$191.88; General Steel: \$2,183.38; J & J Operating: \$529.99; Nelson International: \$1,250.00; NW Tire Inc: \$1,180.26; Pump Systems LLC: \$2,938.85; Ray's Auto Electric: \$119.95; Wallwork Truck Center: \$14.58; Westlie Crossroads Truck Center: \$514.80; Butler Machinery: \$33,593.97; Certified Power: \$419.96; Dakota Farm Equipment: \$435.59; Dakota Signwerks: \$39.00; Dickinson Tire: \$3,209.00; George's Tire: \$8,190.00; Kohler Communications: \$644.50; NW Tire Inc: \$3,616.17; RDO Trust: \$1,072.36; Winter Equipment: \$1,136.18; SW Grain: \$8,220.42; West Dakota Oil: \$18,288.23; Bosch Lumber Company: \$111.69; Cenex of Richardton: \$15.29; Fastenal Company: \$10.85; Kimball Midwest: \$180.73; Lawson Products: \$520.42; Lenny's Repair: \$6.21; Mid-West Doors: \$435.75; NSC Minerals: \$4,796.36; Prairie Auto Parts: \$59.95; Praxair Distributing: \$883.44; Road Equipment Parts: \$183.57; Runnings: \$326.23; Viking Glass: \$225.99; Fisher Sand & Gravel: \$275,854.12; Dickinson Press: \$58.32; Probuild: \$19.08; Craig Tremmel: \$400.00; Visa: \$362.00; ND State Water Commissioner: \$900.00; Northern Improvement: \$32,413.43; ND DOT: \$11.50;

Highway Tax Distribution: Payroll: \$113,712.04; ND Pers: \$32,575.83; Job Service ND: \$2,039.68; Dickinson Public Library: \$35.00; NDACo: \$778.05;

Sp Road & Bridge: DOT FHWA: \$84,801.92;

Social Welfare: Payroll: \$208,840.62; ND Pers: \$58,831.99; Wrap Around Check: \$1,671.75; NDACO Resources: \$28.00; NDACo: \$1,219.05; Village Family Services: \$1,290.00; Advanced Business Methods: \$102.48; AT & T Mobility: \$44.07; Braun Distributing: \$193.77; City of Dickinson: \$189.76; Comfort Suites: \$409.50; Comfort Inn: \$81.90; Consolidated: \$1,037.13; CTS Language: \$6.45; Electric Sales & Service: \$180.00; Bertie Gustafson: \$700.00; MDU: \$1,377.52; NDACSSD: \$50.00; Newby's Ace Hardware: \$12.59; Quality XTerminators: \$80.00; Quality Quick Print: \$466.48; Record Keepers: \$41.50; SBM Inc: \$652.10; Total Safety USA: \$40.00; Visa: \$188.73; Walmart: \$65.29; Discovery Benefits: \$143.00;

Capital Improvement: LEC Maintenance: \$8,003.09; Grabar Voice: \$29,989.00; Jesse Braun Electric: \$12,801.60; Don Jones: \$805.00; Sirchie: \$7,205.00; Central Mechanical: \$4,050.00; Zeller Construction: \$57,940.00; BBFB: \$7,932.50; JLG Architects: \$6,040.24; Kadrmas, Lee & Jackson: \$15,214.71; ND Scull Construction: \$674,317.65;

County Jail: SWMCCC: \$121,965.21; Sunrise Youth Bureau: \$221,140.55; Billings County Auditor: \$30,214.17;

VSO Fund: Payroll: \$8,287.25; NACVSO: \$30.00; NDACTVSO: \$200.00; Dakota Water Treatment: \$8.25; Consolidated: \$90.28; Verizon Wireless: \$40.01; NDACo: \$56.70;

County Agent: Payroll: \$3,995.12; ND Pers: \$609.66; Samantha Roth: \$181.88; Visa: \$90.30; CMRS-PB: \$2,500.00; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$161.62; Ag Communications: \$417.82; NDSU Center for 4-H: \$65.00; Xerox Corporation: \$72.11; Pitney Bowes: \$277.02; NDACo: \$56.70;

Weed Control: Payroll: \$18,331.00; ND Pers: \$5,064.67; Gempler's: \$541.44; Menards: \$770.56; Praxair: \$223.83; Runnings: \$151.93; JP & Steel & Supply: \$546.09; Newby's Ace Hardware: \$25.18; Agterra Technologies: \$9,055.00; NDACo: \$85.05; Walmart: \$23.02; Stark County Auditor (Federal Deposit): \$245.86;

9-1-1: Payroll: \$5,583.11; City of Dickinson: \$13,066.67; Dickinson Area Ambulance: \$110.00; Information Technologies: \$4,900.22; Consolidated: \$335.00;

Adult Education: Visa: \$105.64;

Domestic Violence: State Treasurer: \$385.00;

Traf Safety PHSPID Grant: \$757.50;

Misc Grants: Balco Uniforms: \$401.39;

Security Reimb: Wex Bank: \$158.36;

SW Victim Witness Program: Payroll: \$5,746.00; ND Pers: \$1,312.95; SBM Inc: \$243.09; Consolidated: \$42.09; Stark County Auditor (Federal Deposit): \$417.75; Verizon Wireless: \$109.97; Discovery Benefits: \$5.50;

DVRCC: Domestic Violence: \$565.88;

Preservation Fee: Underground Vault: \$3.15;

State Reimbursements: Eric Wiedmeier: \$371.21; Corey Lee: \$25.00; Kevin Eldridge: \$25.00; Jessica Hank: \$562.00; Jane Plunkett: \$25.00; Matthew Hanson: \$25.00;

Siren Contingency: Roughrider Electric: \$322.00;

Other Reimbursements: Butler Machinery: \$4,181.94; EscoSupply: \$14,332.50; Marvin Messer: \$27.82; Consolidated: \$272.02; Dickinson Public Library: \$35.00; Visa: \$178.58; Office of Attorney General: \$4,325.00; Pharm Chem Inc: \$6,630.00; Martin Palomares: \$83.00; Verizon Wireless: \$120.01;

Judgement Execution: Dan Bailey: \$2,164.69; Stark County Sheriff: \$230.67; Dickinson Press: \$42.12; Brent Smith: \$1,250.00;

BCI-Task Force Grants: Payroll: \$12,683.23; ND Pers: \$2,847.81; Stark County Auditor (Federal Deposit): \$879.40; Discovery Benefits: \$11.00; NDACo: \$85.05; Bravo Concealment: \$59.38; Jerome Distributing: \$24.00; Synch/Amazon: \$188.39; Visa: \$2,147.35; Consolidated: \$69.04; Verizon Wireless: \$392.39; Wex Bank: \$367.10; Public Agency Council: \$1,180.00; HP Inc: \$4,398.40; Tactical Technologies: \$2,320.00;

911 Equipment: Advanced Business Methods: \$23.60; Consolidated: \$185.84; Visa: \$45.59;

Sheriff Oestreich

Sheriff Oestreich provided his monthly report which included the following:

- 232 criminal papers were received and 157 were served;
- The arrest tally included 15 accidents, 41 stops, 34 citations, and 8 warnings;
- 91 civil papers were received and 67 were served;
- Transports included 1 for other counties, 13 criminal, 16 daily court, 4 mental health, and 1 juvenile;
- The truck reg. program had a total of \$5,800 in fines and \$15,892.07 in permits;
- The 24/7 program had a total of \$12,665.86 in expenditures.

Sheriff Oestreich advised the state has requested the County resubmit reimbursement related to the protest to include regular pay. Commissioner Zander requested that Sheriff Oestreich keep in communication regarding the state reimbursement.

Sheriff Oestreich submitted two out-of-state travel requests. The first request is for two employees to travel to Florida for evidence and property training February 12th through the 18th and three employees to travel to North Carolina for crime scene photography training March 5th through the 11th.

MOTION BY: Commissioner Hoff

SECOND BY: Commissioner Zander

To approve the out-of-state travel requests as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Mr. Remark presented a change order related to the Sheriff's department remodel along with a bill from Jesse Braun Electric in the amount of \$12,801.60.

MOTION BY: Commissioner Hoff

SECOND BY: Commissioner Zander

To pay the bill and change order as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Road Superintendent - Al Heiser

Mr. Heiser presented his monthly report. Stark County received an award for the bridge grant and is currently working with the DOT. The road crew is cleaning up some drifting areas that occurred over the weekend. Some used asphalt was also received for the purpose of mixing with existing gravel roads and test how this would hold up. Mr. Heiser also advised he was elected to the executive board of the North Dakota Association of County Engineers.

County Engineer – Justin Hyndman

Mr. Hyndman provided the following monthly report:

- 112th Ave SW 30th to 32nd CMC 4521 Grading and Aggregate 2.3 miles – KLJ will complete wetland monitoring to satisfy the USACE. Submitted 2016.
- 112th Ave SW Green River Bridge 120-03.0 – Records submitted to the NDDOT.
- Bridge 45-141-20.0 – Project complete.
- HWY 10 116th Ave SW to I-94 Business Loop and 116th Ave SW from HWY 10 south to the Refinery – Final estimate submitted to an NIC.
- Bull Creek Structure Replacement – KLJ working on design. Bid date April 4, 2017.
- Green River Bridge Structure 45-123-3.0 Replacement – KLJ working on design. Bid date May 2nd, 2017.
- Structure 45-134-03.0 Replacement – KLJ working on design. Bid date April 4, 2017.
- South Heart Road Widening – KLJ Working on design. Bid date March 7, 2017.
- CBP-0045(16)05 – KLJ working on design. Bid date May 2, 2017.
- Courthouse Parking Lot - KLJ working on design. Bid date April 4, 2017
- TRIP Application - Approved.

Radar Service Contract – Bill

Mr. Fahlsing presented the 2017 radar service contract between Stark County and the North Dakota Atmospheric Resource Board. The cost of the contract for 2017 is \$4,000 which is in the emergency management budget.

MOTION BY: Commissioner Zander

SECOND BY: Commissioner Franchuk

To authorize the Chairman's signature for the 2017 radar service contract as presented.

DISPOSITION: Motion carried

Denny's Electric – Energy Efficiency Grant

Ms. Haag presented a letter advising that Denny's electric has completed the work for the security at the courthouse and their accountant has advised the County should apply for the energy efficiency Grant.

MOTION BY: Commissioner Hoff

SECOND BY: Commissioner Zander

To authorize the chairman's signature on the application as presented.

DISPOSITION: Motion carried

Scul

An update of the courthouse expansion project was presented along with a change order request.

MOTION BY: Commissioner Kuntz

SECOND BY: Commissioner Zander

To authorize signature of the change order as presented.

DISPOSITION: Motion carried

CUP Renewals

Mr. Josephson presented to conditional use permits for renewal. Both renewal requests are for communication towers on behalf of Badlands cellular.

MOTION BY: Commissioner Zander

SECOND BY: Commissioner Kuntz

To approve both extension request as presented.

DISPOSITION: Motion carried

City of Dickinson Abatement

Mr. Hirshfield, Dickinson City Assessor presented in an abatement request received from Menards Inc. A representative of Menards presented an overview of the justification for the request. As there was conflicting data regarding the square footage of the building, Commissioner Zander requested both parties to present the abatement at a later date before the commission once the square footage of the building can be agreed upon.

MOTION BY: Commissioner Zander

SECOND BY: Commissioner Hoff

To table the abatement until more accurate information can be provided.

DISPOSITION: Motion carried

Art Wanner – Veterans

Mr. Wanner advised that the Park board has approved a 100 capacity building along with hiring a project manager. A handout was provided showing the conceptual drawing and a low, middle, and high cost estimate for the building. The purpose of today's presentation is to provide an overview of current finances and a status update. Once bids are released and a better idea of the project costs are received they will come back before the County Commission.

Zoning

A proposed amendment to Article I of the Stark County zoning ordinance was presented as adopted on October 2, 2012. Planning and Zoning recommend approval.

MOTION BY: Commissioner Hoff
To approve 1.7 of article I as presented.
DISPOSITION: Motion carried

SECOND BY: Commissioner Zander

Proposed amendments to Article VII of the Stark County Zoning Ordinance as adopted on October 2, 2012 was presented. Planning and Zoning recommend approval

MOTION BY: Commissioner Hoff
SECOND BY: Commissioner Kuntz
To approve the changes to Article 7 as presented.
DISPOSITION: Motion carried

Sick Leave – FMLA

Ms. Krebs is requesting to amend the sick leave policy to allow the request of a doctor's note at the discretion of the employee's supervisor.

MOTION BY: Commissioner Zander
SECOND BY: Commissioner Hoff
To amend the policy as presented to make a requirement of the doctor's note a discretion of the employee's supervisor.

Ms. Krebs also provided an overview of a change to the existing FMLA policy which states an employee may use up to 480 hours of their accrued sick leave for an employee's spouse, child or parent's serious health condition during the 12 month period method used to calculate the leave year.

MOTION BY: Commissioner Kuntz
SECOND BY: Commissioner Zander
To approve the change to 480 hours with anything above 480 hours be reviewed on a case-by-case basis to the FMLA policy.
DISPOSITION: Motion carried

The following Miscellaneous Receipts were filed: General: \$69,316.28; County Road: \$92,687.18; Highway Tax Distribution: \$244,073.63; Social Services: \$39,669.33; Weed Control: \$7,446.83; 911 Revenue: \$15,547.22; Adult Education: \$112.72; Fingerprint Station: \$175.00; Domestic Violence: \$210.00; Misc Grants: \$2,929.24; Estimate Taxes: \$991.69; Security/Transfer DJS Reimb: \$275.28; SW Victim Witness Program: \$1,689.87; Protest Funds: \$12,881.21; Domestic Violence & Rape Crisis Center: \$565.88; Preservation Fee: \$1,479.00; Other Reimbursements: \$32,030.48; Judgement Execution: \$3,687.48; BCI Task Force: \$41,977.50; 911 Equipment: \$2,743.74;

MOTION BY: Commissioner Hoff
To adjourn the meeting.
DISPOSITION: Motion carried

SECOND BY: Commissioner Kuntz

Kay Haag, Auditor

Jay Elkin, Chairman